

**BOARD APPLICATION**

**WESTFIELD BOARD OF ADJUSTMENT**

**WESTFIELD PLANNING BOARD**

Linda Jacus

908-789-4100 ext. 4602

**ALL APPLICATION MATERIALS ( board application, engineering plans, architectural plans, reports, photo, etc.) MUST BE COLLATED.**

**Please check that Your Application Package consists of the following before returning to the board secretary:**

*The Board, when reviewing the application, shall have the authority to request additional information not required by this checklist or the ordinance if, in its opinion, such additional information is necessary to make an informed decision on the application or appeal.*

☒ One (1) copy of **The Original Application Form.**

☒ Twelve (12) copies of **plans, sketches, renderings, etc to be utilized during the hearing. Plans must be folded before they are turned in to the Board.**

Photographs or other visual aids such as oversized posters and charts do not need to be duplicated or submitted in advance of the hearing. Notwithstanding the above, the Board Secretary may require a greater or lesser number of copies in particular cases as needed. If any item on any of the forms or enclosures is not applicable, is unknown or is otherwise unable to be completed, please enter "N/A" or other appropriate phrase in the space. For applications involving new buildings, or additions or alterations to existing buildings, provide architects drawings or **scaleable floor plans**, which may be prepared by the owner/applicant. The plans should include the existing and the proposed new construction of each story of the building (including basements), drawn to a scale not smaller than 1/8" = 1'0", and **exterior elevations** of all sides. The proposed **use of each room** must be indicated on the floor plans.

☒ Initial application and escrow fees are due at the time the application is submitted. Please see page 17 of the application packet to determine the initial fees due. Please submit two separate checks made payable to "Town of Westfield". Please be advised that additional application and escrow fees may be required upon review of your application. The Secretary will advise you of any additional assessment.

☒ Photographs depicting the subject site, the existing structure from all sides, site improvements, roadway access and yard areas.

☒ A **certificate** from the Westfield Tax Collector stating that all **taxes and assessments** for the subject property are **paid** up to and including the most recent collection period. The Tax collector is Mrs. Susan Noon, telephone (908) 789-4051, located in the Municipal Building, 425 East Broad Street.

☒ Where the applicant is not the owner, a notarized **affidavit from the owner** authorizing the applicant to file this application. If the applicant is a corporation or partnership, attach a notarized list of the names and addresses of stockholders or partners with a more than a 10% interest.

☒ One (1) copy of the **tax map** showing the properties adjoining the property, which is the subject of the application. This document can be obtained from the Town Surveyor's office, which is located in the same building as the Board Secretary's office, at 959 North Avenue, West.

☒ An **ORIGINAL signed, dated and scaleable survey** of the property. On the survey it must indicate the area where the addition and/or alteration will be done. **The survey can be no more than 2 years old.**

☒ For applications involving new structures which are not buildings, (such as swimming pools, decks, patios, handicapped ramps, tennis courts, balconies, fences, walls, tanks, towers, etc.) the applicant must provide **appropriate descriptive material** sufficient for the Board to understand the nature, appearance, and construction of structure(s).

☒ You must return the completed **"Request for Property Owners List"** to obtain a certified copy of the list of persons to be noticed. You must complete the noticing on time or you **cannot be heard.**

☒ Please see Page 15 for additional submission requirements for sign variances.

PLEASE COLLATE ALL APPLICATION MATERIALS INTO SETS.  
UNCOLLATED MATERIALS WILL NOT BE ACCEPTED.

✓ - Provided

✗ - Not Applicable

# 990

**TOWN OF WESTFIELD**  
**REQUEST FOR PROPERTY OWNERS LIST**

APPLICANT PLEASE FILL OUT THIS SECTION ONLY

For Holy Trinity Greek Church \_\_\_\_\_  
Property address

3601  
Block #

4  
Lot#

November 7, 2019  
Date Requested

EKA Associates  
Applicant's Name

(908) 322-2030  
Phone #

**ENGINEERING DEPARTMENT SECTION:**

Date received by Engineering Dept. \_\_\_\_\_

Please determine all properties in the Town of Westfield within 200 feet of the above referenced address and list the Block and Lot numbers on the back of this sheet. Forward it to the Tax Assessor's office. Thank you.

**TAX ASSESSOR'S OFFICE SECTION:**

Date received by Tax Assessor's Office 11/12/09

( ) Please prepare a list of owners' names and addresses (showing Block and Lot numbers also) from the current tax duplicates of all properties shown on the back of this sheet and forward the list to the **BOARD OF ADJUSTMENT SECRETARY ONLY.**  
Thank you.

PLEASE FORWARD A COPY OF THIS SHEET TO THE FOLLOWING PERSON:

- ( ) Secretary, Planning Board
- ( ) Secretary, Board of Adjustment

Date list was forwarded \_\_\_\_\_

**To be completed by TOWN OF WESTFIELD ENGINEERING DEPARTMENT**

THE FOLLOWING WAS PREPARED BY GAVIN ON 11/8/19  
Engineering Dept. Date

<u>3601</u> BLOCK	4 LOT	BLOCK	LOT
<u>3601</u>	1.01 ✓		34 ✓
	2.01 ✓		35 ✓
	3.01 ✓		36 ✓
	(4) ✓		37 ✓
	5 /		39 ✓
	6 /		40 ✓
	7 /		41 ✓
	8 /		42.01 ✓
	9 /		54 ✓
	10 /		
	11 /	3701	1 /
	12 /		2 /
	13.01 ✓		
	29 /		
	30 /		
	31 /		
	32 /		
	33 /		

29 requested  
29 provided  
11/12/19

- ( ) Property is within 200' of the Sun Pipe Line.
- ☐ Ticked municipalities below also have properties within the 200-foot radius, which are not included in the above list.
  - ☐ Mountainside
  - ☐ Scotch Plains
  - ☐ Clark
  - ☐ Garwood
  - ☐ Cranford
  - ☐ Springfield

**TOWN OF WESTFIELD**  
**APPLICATION**

**I. Identification:**

This appeal is from (applicant's name) Greek Orthodox Community of the Holy Trinity of Westfield

street address 250 Gallows Hill Road telephone (908) 294-7414

e-mail gcolonias@yahoo.com fax \_\_\_\_\_

for property in Westfield, NJ located at (street address) 250 Gallows Hill Road

**II. To:** (check one)

☐ Planning Board

☒ Board of Adjustment

Board Secretary: Ms. Linda Jacus 908-789-4100 extension 4602

Both Boards: 959 North Avenue West, Westfield, NJ 07090: FAX 908-789-4113

**III. For a Hearing For:** (Check all applicable)

**Specific Applicable Sections of the Westfield L.U.O. for:**

**Submission Requirements Checklists**

**Procedures**

<input checked="" type="checkbox"/> *C variances	4.03A, 9.02, 9.03, 9.11	4.04, 7.01C, 7.01D, 8.03, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> *D variances	4.03A, 9.02, 9.03, 9.11	4.04, 7.01C, 7.01D, 8.03, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> Conceptual Site Plans & Subdivisions	9.04	8.07
<input checked="" type="checkbox"/> Minor Site Plan	9.02, 9.03, 9.08	8.06, 8.08, 8.13, 8.14, 8.23
<input type="checkbox"/> *Preliminary Major Site Plan	4.03C, 9.02, 9.03, 9.09	4.04, 8.04, 8.06, 8.10, 8.13, 8.14, 8.19, 8.23
<input type="checkbox"/> Final Major Site Plan	9.02, 9.03, 9.10	8.06, 8.11
<input type="checkbox"/> Minor Subdivision	9.02, 9.03, 9.05	8.01, 8.06, 8.09, 8.13, 8.14, 8.23
<input type="checkbox"/> *Preliminary Major Subdivision	4.03D, 9.02, 9.03, 9.06	4.04, 8.01, 8.04, 8.06, 8.10, 8.13, 8.14, 8.19, 8.23
<input type="checkbox"/> Final Major Subdivision	9.02, 9.03, 9.07	8.06, 8.11
<input type="checkbox"/> **Conditional Use	9.02, 9.03	4.04, 8.06, 8.13, 8.14
<input type="checkbox"/> *Structure in street, drainage way, flood basin, reserved area	4.03F, 7.01E2	4.04, 7.01E, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> *Structure on lot not abutting street	7.01F2	4.04, 7.01F, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> *Board of Adjustment "a" appeal/ administrative officer error	7.02B2 & 3	7.02A & B, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> *Board of Adjustment "b" appeal/ interpretation ordinance/map	4.03B, 7.02C1 & 2 & 3	4.04, 7.02A & C, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> Residential cluster	9.02, 9.03, 9.06, 8.12, 11.03F	8.13, 8.14

**\*Public noticing is required pursuant to Section 4.03 & 4.04 \*\* A major site plan review is also required with a conditional use application**

**IV. Application Description:** Briefly describe the nature and scope of this application, including proposed uses and improvements. All subdivision appeals must state the present and proposed number of lots.

**\*See Statement of Principal Points\***

**V. Reasons:** Briefly summarize the reasons why you believe this appeal should be granted.

**\*See Statement of Principal Points\***

**VI. Property Description:** Please provide the following information about the property, which is the subject of this appeal.

•Enclose a scaleable (full size) copy of a location survey of the property; showing the surveyors name and license number, and date of survey, if this information is not otherwise provided on a site plan or subdivision plat. Survey can be no more than 2 years old.

•Street address 250 Gallows Hill Road, Westfield, NJ 07090

Zone district RS-16 Block No. 3601 Lot No. 4

•Dimensions of lot 435.49 x. 363.19 Area of lot 166,674 sq. ft.

•Use of premises present House of Worship  
proposed House of Worship

The proposed use is: ☐ permitted by ordinance ☒ a conditional use which has been granted by the Planning Board or Zoning Board of Adjustment  
☐ a use permitted by variance ☐ a nonconforming (i.e. "grandfathered") use ☐ not a permitted use

Name of Owner Greek Orthodox Community of the Holy Trinity of Westfield Telephone No. \_\_\_\_\_  
Street address of Owner 250 Gallows Hill Road Fax. No. \_\_\_\_\_  
Westfield, NJ 07090

•Does the above owner also own any property that abuts the subject property?

☒ No ☐ Yes If yes, address: \_\_\_\_\_

If yes, is the abutting property subject to the Loechner-Campoli rule of merger? ☒ No ☐ Yes (If you don't know, check with the Tax Assessor in the Municipal Building.)

•Are there any present deed restriction(s) which affect this property? ☒ No ☐ Yes If yes, attach copy of deed, including language of restriction(s).

•Are there any pending proceedings, concerning the property which is the subject of this application, before any federal, state, or local board of authority? ☒ No ☐ Yes If yes, list here and attach a brief description of each.

**VII. Attorney Identification:** Private individuals, or sole proprietors may represent themselves (i.e. present the application) before the Board. All other categories of applicants must be represented by an attorney. (reference: 1998 Cox - pages 477 & 478)

If applicant (or owner) is to be represented by an attorney, please furnish the following information:

Attorney's name Stephen F. Hehl, Esq. Telephone No. (908) 687-7000  
Attorney's firm Hehl Offices of Javerbaum Wurgaft Fax. No. (908) 687-7028  
Street address 370 Chestnut Street, Union, New Jersey 07083

**VIII. Notarization:**

I/We, the undersigned applicant(s) do hereby grant permission for the members of the Planning Board, and the Zoning Board of Adjustment, their Attorney and the Zoning Officer of the Town of Westfield, NJ to enter upon the property which is the subject of this application, during all daylight hours during the pendency of this application. Permission to enter structures will be given for a mutually agreeable time.

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.

**FRANCESCO GUAGLIARDI, ESQ.  
AT ATTORNEY AT LAW  
OF THE STATE OF NEW JERSEY**

Sworn and Subscribed to  
before me this 13<sup>th</sup>  
day of December, 2019.

Notary Public

Signature of Applicant (in the presence of a Notary)

Print Name : George Colonias

Address: 250 Gallows Hill Road  
Westfield, NJ 07090

Home phone (908) 294-7414

Business phone 908 237 8533

**IX. Do not write in the following spaces:**

**TO BE COMPLETED BY THE ZONING OFFICER:**

- To the best of my knowledge and belief, this application is complete and correct.
- This application is currently the subject of a:
  - \_\_\_\_\_ Zoning violation notice, No. \_\_\_\_\_, copy enclosed.
  - \_\_\_\_\_ Municipal Court complaint, docket No. \_\_\_\_\_, copy enclosed.
  - \_\_\_\_\_ Other pending action, (describe) \_\_\_\_\_
  - \_\_\_\_\_ None of the above

Signature

**TO BE COMPLETED BY THE BOARD SECRETARY:**

Has there been any previous appeals(s) involving these premises?

[ ] No                      [ ] Yes                      If yes, attach copies of resolution(s)

**TO BE COMPLETED BY THE COMPLETENESS DESIGNEE:**

Application accepted as complete on \_\_\_\_\_.

## TOWN OF WESTFIELD

### LIST OF EXISTING NON-CONFORMING ZONING CONDITIONS

Section 7.01B Review of existing non-conforming conditions in connection with applications for variances or for the direction of the issuance of certain permits.

In reviewing applications for variances or for the direction of the issuance of certain permits, the Board shall determine whether any existing non-conforming conditions involving the subject property will exacerbate, intensify, alter, affect or in some way result in a significant impact on the proposed use, structure or land. If the Board finds that no substantial impact or detriment will result, the Board shall so state in its findings of fact in the resolution for the application, without the need for such existing non-conforming conditions to meet the criteria established by N.J.S.A. 40:55D-34, 36, 51a, 51b, 70c and 70d and this ordinance for variances or exceptions. If the Board finds that substantial impacts or detriments will result, however, the application shall not be approved unless and until the applicant agrees to mitigate or eliminate such impacts or detriments to the maximum extent feasible.

The above shall not be construed to alter the review procedures not the criteria for granting variances or exceptions for violations proposed by the development or existing illegally on the subject property.

Note: This list must be consistent with the Variance Table, if otherwise required. N/A

1.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
2.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
3.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
4.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
5.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
6.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:



**TOWN OF WESTFIELD**

**LIST OF NEW C.40:55D-70 c AND d VARIANCES REQUESTED**

**SECTION 9.02: GENERAL REQUIREMENTS; SUPPORTING DOCUMENTATION**

In addition to the submission requirements for the individual categories of applications in the following sections, all categories of applications, except for conceptual site plans and conceptual subdivisions, shall be required to submit a statement indicating all of the provisions of the Land Use Ordinance from which a waiver or variance is sought.

Note: This list must be consistent with the Variance Table, if otherwise required.

1.	Section: 11.05.E.10 (12.04.F.1)	Nature of Deficiency: Maximum Coverage by Buildings and Above Grade Structures	
	Permitted: 10%	Present: 14%	Proposed: 14.1%
2.	Section: 11.05.E.11 (12.04.G)	Nature of Deficiency: Maximum Coverage by All Improvements	
	Permitted: 50%	Present: 57.4%	Proposed: 57.5%
3.	Section: 18.08.D	Nature of Deficiency: Maximum Coverage by All Improvements	
	Permitted: 50%	Present: 57.4%	Proposed: 57.5%
4.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
5.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
6.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
7.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
8.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:

**TOWN OF WESTFIELD**  
**REQUIREMENTS AND VARIANCES SUMMARY TABLE PER SECTION 911 B.7.**

**THIS TABLE MUST BE INCLUDED WITH ALL APPLICATIONS FOR "C" AND "D" VARIANCES,  
AND MUST BE SHOWN ON ALL REQUIRED SITE PLANS, SUBDIVISION PLANS, AND PLOT PLANS**

The below regulations are for all RS, RM and P zones applications. All RA, O, CBD and GB zone applications use the "Bulk and Lot Regulations" for the zone.

APPLICANT:

GREEK ORTHODOX COMMUNITY OF THE

ZONE: RS-16 HOLY TRINITY OF WESTFIELD

STREET ADDRESS:

250 GALLOW'S HILL ROAD

BLOCK 3601, LOT 4

		USE SEPARATE COLUMN FOR EACH LOT				VARIANCE?*		LOT No.		VARIANCE?*		LOT No.		VARIANCE?*	
		sq. ft.		16,000 sq. ft.				166,674 sq. ft.							
18.08.B	Minimum lot area			16,000 sq. ft.				67,628 sq. ft.							
11.05.E.2	Minimum area within 169 ft. of depth	ft.		95 ft.				435.49 ft.							
11.05.E.2	Minimum lot width	ft.		95 ft.				418.47 ft.							
11.05.E.3	Minimum lot frontage	ft.		140 ft.				363.19 ft.							
11.05.E.4	Minimum lot depth	ft.		32.08 ft.				51.36 ft.							
11.05.E.5	Minimum front yard (average)	ft.		20 ft.				143.19 ft.							
11.05.E.5	Minimum street side yard	ft.		15 ft.				49.96 ft.							
11.05.E.6	Minimum side yard	ft.		40 ft.				171.49 ft.							
11.05.E.7	Minimum rear yard	ft.		45 ft./ 2.5 stories				38.26 ft./ 2 stories							
11.05.E.8	Maximum building height (12.05.B)	ft.		20%				Unchanged							
11.05.E.9	Maximum FAR (12.04.E.1)(40,000 SF and greater)	%		10%				14.1%/23,526 sq. ft.		YES*					
11.05.E.10	Maximum coverage by buildings above grade (without deck) (12.04.F.1)(40,000 SF and greater)	%		20%				57.5%/23,526 sq. ft.		YES*					
11.05.E.11	Maximum coverage by improvements (12.04.G)(40,000 SF and greater)	%		22 ft.				N/A							
11.05.E.12	Maximum eave height	ft.													
13.01	Non-Residential Accessory Structure up to 500 SF														
13.01.B	Minimum distance from principle building	ft.		15 ft.				15.81 ft.							
13.01.D	Maximum gross floor area	sq. ft.		35,859 sq. ft.				360 sq. ft.							
13.01.G.2.A	Minimum side yard	ft.		5 ft.				30.97 ft.							
13.01.G.2.A	Minimum rear yard	ft.		5 ft.				201.06 ft.							
13.01.H	Maximum rear yard coverage	%		25%				3.6%							
13.01.I.1	Maximum accessory building height	ft.		25 ft.				15 ft.							
13.02.B	Shed Requirements														
13.02.B.1	Permitted only in rear yard	Yes/No		Yes				Yes							
13.02.B.2	Maximum size	sq. ft.		150 sq. ft.				150 sq. ft.							
13.02.B.2	Maximum height	ft.		10 ft.				<10 ft.							
13.02.B.2	Maximum number of sheds	unit		1				1							

	Conditional Use Requirements	sq. ft.	75,000 sq. ft.	166,674 sq. ft.		
18.08.B	Minimum lot area	sq. ft.	75,000 sq. ft.	166,674 sq. ft.		
18.08.C	Minimum lot frontage	ft.	225 ft.	418.47 ft.		
18.08.D	Maximum coverage by improvements	%	50%	57.5%/23,526 sq. ft.	YES*	
18.08.E	Minimum front yard (average)	ft.	32.08 ft.	51.36 ft.		
18.08.F	Minimum side yard	ft.	38.26 ft.	49.96 ft.		
18.08.G	Minimum rear yard	ft.	50 ft.	171.49 ft.		

NOTE: This table must be consistent with the two variance lists, if they are included in the application.

\* Single star all variances which are new variances; i.e. are not pre-existing, non-conforming conditions which will continue.

**TOWN OF WESTFIELD**

**Request for Waiver of Submission Requirements**

**Section 8.05D:**

The applicant may request that one or more of the submission requirements in Article 9 be waived. A written request, explaining the basis for such request(s) must be submitted. Such waiver requests in order to be considered. The Board or its authorized committee shall grant or deny the waiver request within forty-five (45) days of receipt of the written request. The following provisions shall apply to the grant of such waivers:

Waivers may be granted from submission requirements for information or supplemental documentation that may be irrelevant or unhelpful in the context of a particular application and which are not necessary to determine the substantive merits of an application.

The above provisions shall not be construed to alter the procedures for granting variance or other relief as set forth in Article 7.

I do hereby request that the Board waive the submission requirements of the attached pages, for the reasons stated, pursuant to the authority contained in Section 8.05D of the Westfield Land Use Ordinance.

\_\_\_\_\_  
Applicants Signature

\_\_\_\_\_  
Date

Attach a list citing the ordinance section and subject of the waiver, and the reasons for the request.

**TOWN OF WESTFIELD  
UNION COUNTY NEW JERSEY**

**AFFIDAVIT OF OWNERSHIP**

I, George Colonias, of full age, being duly sworn  
(Print Name)

according to law, do hereby certify that I am the (check one) ☐ owner or ☒ duly authorized officer of the owner (as listed on the application form), of the following property which is the subject of the within application to the Westfield Planning Board or Zoning Board of Adjustment:

Block & Lot (s) Block 3601; Lot 4

Street Address(es) 250 Gallows Hill Road, Westfield, NJ 07090

Check one:

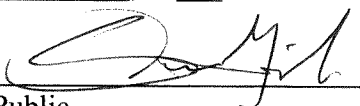
1. ☒ As the owner (or officer of), I am the Applicant in the within application.
2. ☐ As the owner (or officer of), I am not the Applicant. I certify that I have reviewed and consent to the within application and that the information contained herein is true and correct to the best of my knowledge. I authorize the following entity/individual to act as the Applicant in making this application:

a. Authorized Individual/Entity: \_\_\_\_\_

b. Authorized Individual/Entity Interest in Property (i.e., Tenant, Contract Purchaser): \_\_\_\_\_

  
(Signature of Owner/Officer of Owner)

Sworn and subscribed to  
before me on this 13<sup>th</sup>  
day of December, 2019.

  
\_\_\_\_\_  
Notary Public

Board of Adjustment ✓ Planning Board                     

ADDRESS: 250 Gallows Hill Road, Westfield, NJ 07090

I understand that any escrow balance will be refunded to the party who put forth the deposit.

12/13/19  
Date

## **TOWN OF WESTFIELD**

### **Summary of Hearing Procedures for “c” and “d” Variance Appeals**

The Zoning Official will review the application for correctness and completeness. The Applicant will be informed of any deficiencies in the application by the Board Secretary and must promptly submit the additional information.

After the Zoning Official deems the application complete, it will be signed and dated by the Board's completeness designee.

The Board Secretary will then:

- Assign a hearing date and inform the Applicant.
- Prepare a properly worded notice and arrange for its publication in the official newspaper of the municipality (The Westfield Leader).
- Send a copy of the notice to the Applicant, who must then carry out the noticing according to the instructions received with the notification list from the Tax Assessor's Office.
- As/if necessary, refer copies of the application for comment to the Architectural Review Board, Historic Preservation Commission, any Consultant deemed necessary by the Board, and other persons having input which will help the Board to reach an informed decision. Additional copies may be requested by the Board Secretary, if needed.

Applicant must return the Affidavit of Notice of Service to the Board Secretary no later than one (1) week before the hearing date.

The Applicant must appear at the hearing, on the advised date and time, at the Westfield municipal building, 425 East Broad Street, together with his attorney, if any, and witnesses, if any. Applicant shall have available for distribution eleven (11) copies of any document to be utilized by him during the hearing. One (1) copy will be sufficient of photographs, oversized posters and charts, and other visual aids.

In reviewing applications, the Board shall determine whether any existing nonconforming conditions involving the subject property will exacerbate, intensify, alter, affect or in some way result in a significant impact on the proposed use, structure or land. If the Board finds that substantial impacts or detriments will result, the application shall not be approved unless and until the Applicant agrees to mitigate or eliminate such impacts or detriments.

The Board reserves the right to deny the application, without prejudice, if the Applicant does not appear or submit a written signed request for postponement, agreeing to any time extension determined by the Board, to the Board's Secretary, at least three (3) business days prior to the hearing. Normally, the Board completes the hearing in one night. If reappearances are necessary, they will be scheduled with the Applicant at the public hearing and announced to the public by the Board Chairman so that renoticing will not be necessary. At the conclusion of the hearing, The Board will reach a decision and will pass a resolution stating its decision and conditions, if any. The Board is then allowed forty five (45) days by law to memorialize (adopt) a written resolution. Memorialization usually takes place at the next monthly meeting.

No later than ten (10) days after the date of memorialization, the Board Secretary will send a copy of the Board's resolution to the applicant or his attorney, and will publish a brief notice of the Board's decision in the official newspaper of the municipality.

After memorialization, if the decision on a development application is favorable to the Applicant, the Applicant may apply to the Building Department for the necessary construction permits. The applicant has one (1) year to apply for the construction permits. After applying for the construction permit, the applicant must start construction within six (6) months of applying for the permit, however the permit is valid for three (3) years.

## TOWN OF WESTFIELD

### **Additional Submission Requirements for All Applications Which Include Sign Variances.**

- Sketches or photos of all existing signs and for each sign the type, location, size, inscription, and illumination, if any.
- State which, if any, of the existing signs will be removed, or that none will be removed.
- For each new sign(s) provide 18 copies of a sketch or drawing showing the type, location in relation to a public entrance, dimensions and color of the sign, inscription and type of illumination, if any. Also submit a color chip for each sign.
- Eighteen (18) sets of plans, one for each side of the building.
- When applying for a freestanding sign, the location of the sign must be dimensioned from the lot boundaries on a plan of the property, preferably a surveyor's location survey.



# TOWN OF WESTFIELD

## De Minimis Exception Application

### Instructions for Completing the Form and Checklist

<b>WHEN THIS APPLICATION IS NECESSARY</b>	
<p>The municipal approving authority may grant by resolution of the planning board or zoning board of adjustment such <i>de minimis</i> exceptions from the requirements of the residential site improvements standards, <u>N.J.A.C. Title 5, Chapter 21</u>, as may be reasonable, and within the general purpose and intent of the standards if the literal enforcement of one or more provisions of the standards is impracticable, will exact undue hardship because of peculiar conditions pertaining to the development in question.</p> <p>Examples of <i>de minimis</i> exceptions include, but are not limited to, the following:</p> <ol style="list-style-type: none"><li>1. Reducing the minimum number of parking spaces or the minimum size of parking stalls;</li><li>2. Reducing the minimum geometrics of streets, such as curb radii, horizontal and vertical curves, intersection angles, centerline radii, and</li><li>3. Reducing cartway width; and</li><li>4. Any changes in standards necessary to implement traffic calming devices.</li></ol>	
<b>PROPERTY INFORMATION</b>	
Block	Provide all tax block numbers of the subject property, as shown on the official tax map of the Township.
Lot	Provide all tax lot numbers of the subject property, as shown on the official tax map of the Township.
Zone	Provide all zoning information of the subject property, as shown on the official zone map of the Township.
Address of the subject property	Provide the numbered street address of the property, if known. Otherwise, just provide the street or intersection.
Indicate the standards from which an exception is sought	Refer to the State statute, <u>N.J.A.C. Title 5, Chapter 21 Residential Improvement Standards</u> . Your professional engineer should have a copy of this statute. Include the citation(s).
Indicate the manner by which strict compliance would result in practical difficulties	Refer to the State statute, <u>N.J.A.C. Title 5, Chapter 21 (RSIS)</u> .
Indicate the nature and extent of such practical difficulties	Refer to the State statute, <u>N.J.A.C. Title 5, Chapter 21 (RSIS)</u> .

**TOWN OF WESTFIELD**  
 Application for  
 DE MINIMIS EXCEPTION FROM  
 RESIDENTIAL SITE IMPROVEMENT STANDARDS  
 (New Jersey Administrative Code, Title 5, Chapter 21)

<b>NAME AND ADDRESS INFORMATION</b>		
Applicant's Name Zip Code	Mailing Address	Daytime Telephone (    )
Property Owner's Name – if other than above Zip Code	Mailing Address	Daytime Telephone (    )
Authorized Agent (Contact Person) for correspondence Zip Code	Mailing Address	Daytime Telephone (    )
<b>PROPERTY INFORMATION</b>		
Block(s)	Lot(s)	Zone
Address of Subject Property		
Indicate below the standard from which an exception is sought (include citation) – use additional sheet if necessary:		
Indicate below the manner by which strict compliance with this would result in practical difficulties – use additional sheet if necessary:		
Indicate the nature and extent of practical difficulties – use additional sheet if necessary:		

\_\_\_\_\_  
 Applicant's Signature

\_\_\_\_\_  
 Property Owner's Signature (if other than applicant)

\_\_\_\_\_  
 Agent's Signature

**APPLICANT: GREEK OTHORDOX COMMUNITY OF THE HOLY TRINITY**  
**PROPERTY: 250 GALLOWS HILL ROAD**  
**BLOCK 3601, LOT 4**  
**RS-16 ZONE**

**STATEMENT OF PRINCIPAL POINTS**

The within Application involves a request for Minor Site Plan, d(3) Conditional Use Variance, and Bulk Variance approvals in connection with the property located at located at 250 Gallows Hill Road, Block 3601, Lot 4 on the Tax Maps of the Township of Westfield (the "Property"). The Property is located in the RS-16 (Single-Family Residence) Zone ("RS-16 Zone"). The Property contains an existing Greek Orthodox Church, which is a permitted conditional use in the RS-16 Zone.

The Applicant is proposing to remove an existing 89 square foot storage shed on the Property and construct a larger, 360 square foot accessory structure for storage of gardening supplies, the cones, barricades, and plastic drums that are currently outside the existing shed, and other infrequently used materials related to the operations on the Property. The Application requires a d(3) conditional use variance as the proposed accessory structure increases the maximum allowable coverage under the Township Land Use Regulations. As stated above, the Applicant is proposing to remove the existing shed as it is in disrepair. The addition of the new accessory structure necessitates a variance for both maximum building coverage and maximum coverage by all improvements under the Township Land Use Regulations for the RS-16 Zone.

Professional planning testimony will be offered at the hearing in support of the condition use variance and the testimony will demonstrate that the variances requested can be granted without substantial detriment to the public good and without substantial impairment to the intent of the Township's Master Plan. For these reasons, the Applicant respectfully requests the approvals and variances sought be granted.

**APPLICANT: GREEK OTHORDOX COMMUNITY OF THE HOLY TRINITY**

**PROPERTY: 250 GALLOWS HILL ROAD**

**BLOCK 3601, LOT 4**

**RS-16 ZONE**

**LIST OF APPLICANTS' PROFESSIONALS**

**Engineer: James Watson, P.L.S., P.P.**  
**EKA Associates, LLC**  
**328 Park Avenue**  
**Scotch Plains, New Jersey 07076**  
**(T) 908-322-2030**  
**jwatson@ekaassociates.com**

**Attorney: Stephen F. Hehl, Esq.**  
**Hehl Offices of Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins, P.C.**  
**370 Chestnut Street**  
**Union, New Jersey 07083**  
**(T) 908-687-7000**  
**(F) 908-687-7028**  
**SHehl@lawjw.com**

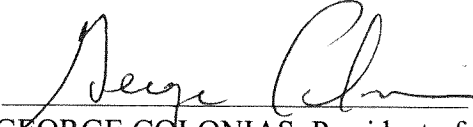
**Corporation Disclosure Statement**

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PURSUANT TO THE REQUIREMENTS OF NEW JERSEY STATUTE 40:55D-48.1 ET SEQ., I, (NAME & TITLE) George Colonias, President, HEREBY CERTIFY THAT THE FOLLOWING IS A TRUE AND COMPLETE LIST OF THE NAMES AND ADDRESSED OF ALL INDIVIDUALS WHO OWN TEN PERCENT (10%) OR MORE STOCK OR OTHER INTEREST IN (NAME OF CORPORATION, Greek Orthodox Community of the Holy Trinity of Westfield, WHICH A CORPORATION WITH OWNERSHIP INTERESTS IN THE PROPERTY LOCATED AT 250 Gallows Hill Road FOR WHICH AN APPLICATION HAS BEEN FILED WITH THE Township of Westfield PLANNING BOARD X / ZONING BOARD \_\_\_\_\_. I FULLY UNDERSTAND THAT FAILURE TO DISCLOSE ANY AND/OR ALL OWNERSHIP PARTIES WITH TEN PERCENT (10%) OR MORE INTEREST IN THE CORPORATION / PARTNERSHIP OR DELIBERATELY MISREPRESENTING ANY FACTS THEREON IS SUFFICIENT GROUNDS FOR DISAPPROVAL OF THE APPLICATION BY THE BOARD AND CAN RESULT IN A FINE AS PROVIDED FOR BY THE STATUTE.

	<u>NAME</u>	<u>ADDRESS</u>	<u>% OF STOCK OR OTHER OWNERSHIP INTEREST</u>
1.	<u>Religious entity with a Board of Directors and no ownership of 10% or more</u>		
2.	_____	_____	_____
3.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____
10.	_____	_____	_____

NOTE: If Additional Space is Required, please attach separate sheet

  
\_\_\_\_\_  
GEORGE COLONIAS, President of  
Greek Orthodox Community of the Holy  
Trinity of Westfield